

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAFAEL HERNANDEZ-MARTINEZ,

Defendant.

8:19CR150

ORDER

The defendant appeared before the court on June 4, 2019 regarding Petition for Warrant or Summons for Offender Under Supervision [2], and Amended Petition for Warrant or Summons for Offender Under Supervision [8]. David R. Stickman represented the defendant. Matt E. Lierman represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government made an oral motion to dismiss Petition for Warrant or Summons for Offender Under Supervision [2]. The government's oral motion to dismiss Petition [2] is granted without objection.

The defendant appeared by summons, or is otherwise not in custody, and will not be detained. Therefore, the defendant does not have right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds the petition sets forth probable cause to believe the defendant violated the terms of supervised release. The defendant shall appear personally for a final dispositional hearing before District Judge Rossiter in Courtroom No. 4, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska on July 17, 2019 at 9:30 a.m.

The government did not move for detention. The defendant shall be released on the current terms and conditions of supervision [add any additional conditions].

IT IS SO ORDERED.

DATED this 4th day of June, 2019.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge